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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,034	08/29/2000	Brian Siegel	SNY-P4055.01	8387

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MILLER PATENT SERVICES
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EXAMINER

SHIH, SALLY

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

09/650,034

Applicant(s)

SIEGEL, BRIAN

Examiner

Sally Shih

Art Unit

3624

-- The MAILING DATE of this communication appears on the reverse with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☒ Claim(s) 34 and 38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This application has been reviewed. Original claims 1-53 are pending. The objections and rejections cited are as stated below:

Claim Objections

2. Claim 9 is objected to because of the following informalities: The applicant failed to complete the sentence. Claim 9 stated that "The method of claim 1, wherein the information describing the credit card comprises a". Appropriate correction is required.
3. Claims 34 and 38 are objected to because of the following informalities: These two claims are identical. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Wong et al.

(United States Publication Number 6,119,933).

Claim 1: Wong et al. discloses a method of tracking online credit card usage by a user of an Internet communication device, comprising:

monitoring entries made on the Internet communication device (See abstract, column 1, lines 22-30 and column 2, lines 10-15);

detecting instances of a credit card transaction in the entries made on the Internet communication device (See abstract, column 1, lines 22-30 and column 2, lines 10-15);
and

upon detecting an instance of a credit card transaction, storing information describing the credit card transaction in a database accessible by the Internet communication device (See column 1, lines 44-55).

Claim 2: Wong et al. discloses the retrieval of the information describing the credit card transaction from the database via the Internet communication device. (See column 1, lines 22-30 and column 2, lines 10-15).

Claim 3: Giordano et al. discloses matching an entry with a stored sixteen digit credit card number. (See column 12, lines 61-67).

Claim 4: Wong et al. discloses the Internet communication device comprises one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance. (See Figure 1).

Claim 5: Wong et al. discloses the information describing the credit card transaction comprises a monetary amount spent. (See column 1, lines 63-67).

Claim 6: Wong et al. discloses the information describing the credit card transaction comprises a date and time of the transaction. (See column 1, lines 63-67).

Claim 7: Wong et al. discloses the information describing the credit card transaction comprises a merchant name with which the transaction was carried out. (See column 1, lines 56-60).

Claim 8: Wong et al. discloses the information describing the credit card transaction comprises a user identifier. (See column 1, lines 36-43).

Claim 9: Wong et al. discloses the information describing the credit card transaction comprises a (See abstract).

Claim 10: Wong et al. discloses carrying out a database function on the database. (See column 1, line 67 and column 2, lines 1-2).

Claim 11: Wong et al. discloses the database function comprises totaling a monetary value of a plurality of transactions. (See column 1, lines 63-67).

Claim 12: Wong et al. discloses that upon detecting an instance of a credit card transaction, asking a user to verify confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database. (See column 12, lines 54-67).

Claim13: Wong et al. discloses that the database is stored within the Internet communication device. (Abstract and figure 1).

Claim14: Wong et al. discloses that the database is stored in a location remote to the Internet communication device. (Abstract and figure 1).

Claim 15: Wong et al. discloses granting access to the database to a creditor; permitting the creditor to charge a monetary value as a credit card transaction, and permitting the creditor to enter the credit card transaction into the database. (Abstract and column 12, lines 65-67).

Claim 16: Wong et al. discloses granting access to the database to a loyalty point provider. (Abstract and column 12, lines 45-47).

Claim 17: Wong et al. discloses a computer system, comprising:
a processor having a central processing unit, an input device and memory (column 13, lines 4-15);
a storage device coupled to the processor, that stores a database (Column 13, lines 12);
the processor being programmed to perform the programmed steps of tracking online credit card usage by a user of the computer system comprising the steps of
monitoring entries made by a user using the input device (Column 14, lines 3-13);
detecting instances of a credit card transaction in the entries made by the user (Column 14, lines 3-13); and
upon detecting an instance of a credit card transaction, storing information describing the credit card transaction in the database (Column 14, lines 3-13).

Claim 18: Wong et al. discloses a display for displaying the database upon receipt of a user command. (See column 12, lines 61-67).

Claim 19: Wong et al. discloses matching an entry with a stored sixteen digit credit card number. (See column 12, lines 61-67).

Art Unit: 3624

Claim 20: Wong et al. discloses that the computer system is embodied in one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance. (See Figure 1).

Claim 21: Wong et al. discloses that the information describing the credit card transaction comprises at least one of: a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier. (See column 1, lines 63-67).

Claim 22: Wong et al. discloses means for carrying out a database function on the database. (See column 1, line 67 and column 2, lines 1-2)

Claim 23: Wong et al. discloses the database function comprises totaling a monetary value of a plurality of transactions. (See column 1, lines 63-67).

Claim 24: Wong et al. discloses the processor is further programmed to carry out the step of, upon detecting an instance of a credit card transaction, asking a user to confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database. (See column 12, lines 54-67).

Claim 25: Wong et al. discloses the storage device is situated within the computer system. (Abstract and figure 1).

Claim 26: Wong et al. discloses the storage device is situated in a location remote to the computer system. (Abstract and figure 1).

Claim 27: Wong et al. discloses the storage device is connected to a network file server. (Abstract and figure 1).

Art Unit: 3624

Claim 28: Wong et al. discloses program means for permitting access to the database by a creditor so that the creditor can initiate credit card transactions. (Abstract and column 12, lines 65-67).

Claim 29: Wong et al. discloses program means for permitting access to the database by a loyalty point provider. (Abstract and column 12, lines 65-67).

Claim 30: Wong et al. discloses a method of tracking online credit card usage by a user of an Internet communication device, comprising:

monitoring entries made on the Internet communication device (See abstract, column 1, lines 22-30 and column 2, lines 10-15);

detecting instances of a credit card transaction in the entries made on the Internet communication device by matching an entry with a stored sixteen digit credit card number (See abstract, column 1, lines 22-30 and column 2, lines 10-15); and

upon detecting an instance of a credit card transaction, asking a user to confirm storage of information describing the credit card transaction (See column 1, lines 44-55);

if the user confirms storage of the information, storing information describing the credit card transaction in a database within the Internet communication device, the information describing the credit card transaction comprising a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier; retrieving the information describing the credit card transaction from the

database via the Internet communication device(See abstract, column 1, lines 22-30 and column 2, lines 10-15) ;

carrying out a database function on the database, the database function comprising totaling a monetary value of a plurality of transactions; and wherein the Internet communication device comprises one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance (See abstract, column 1, lines 22-30 and column 2, lines 10-15) .

Claim 31: Wong et al. discloses a method of managing loyalty points, comprising: storing transactions on a computer database (Abstract, column 13, lines 3-15); granting access to the computer database to a loyalty point provider (Abstract, column 13, lines 3-15); and receiving loyalty points based on the data stored in the computer database (Abstract, column 13, lines 3-15).

Claim 32: Wong et al. discloses the transactions comprise credit card transactions for a plurality of credit cards. (Column 1, lines 19-30)

Claim 33: Wong et al. discloses that the loyalty points are provided on the basis of purchases of the product brand. (Column 1, lines 32-35 and column 2, lines 5-10).

Claim 34: Wong et al. discloses the transactions comprise credit card transactions for a plurality of credit cards; and wherein the loyalty points are provided on the basis of purchases of a product brand. (Column 1, lines 32-43 and column 2, lines 5-10).

Claim 35: Wong et al. discloses a method of managing loyalty points, comprising:
receiving access to a computer database of transactions made by a user (Column 12, lines 45-60); and
granting loyalty points based on the data stored in the computer database (Column 12, lines 45-60).

Claim 36: Wong et al. discloses that the transactions comprise credit card transactions for a plurality of credit cards (Column 12, lines 45-67).

Claim 37: Wong et al. discloses that the loyalty points are provided on the basis of purchases of a product brand (Column 1, lines 32-35 and column 2, lines 5-10).

Claim 38: Wong et al. discloses the transactions comprise credit card transactions for a plurality of credit cards; and wherein the loyalty points are provided on the basis of purchases of a product brand. (Column 1, lines 32-43 and column 2, lines 5-10).

Claim 39: Wong et al. discloses a storage medium storing a set of computer instructions which, when executed on a computer, carry out a process comprising:
monitoring entries made by a user using an input device (Abstract, column 1, lines 22-30 and column 2, lines 10-15);
detecting instances of a credit card transaction in the entries made by the user (Abstract, column 1, lines 22-30 and column 2, lines 10-15) ; and

upon detecting an instance of a credit card transaction, storing information describing the credit card transaction in a database (See column 1, lines 44-55).

Claim 40: Wong et al. discloses the information describing the credit card transaction comprises at least one of: a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier. (See column 1, lines 56-67)

Claim 41: Wong et al. discloses the process further comprises carrying out a database function on the database (See column 1, line 67 and column 2, lines 1-2).

Claim 42: Wong et al. discloses the database function comprises totaling a monetary value of a plurality of transactions (See column 1, lines 63-67).

Claim 43: Wong et al. discloses the process further comprises, upon detecting an instance of a credit card transaction, asking a user to confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database. (See column 12, lines 54-67).

Claim 44: Wong et al. discloses the process further comprises permitting access to the database by a creditor so that the creditor can initiate credit card transactions. (Abstract and column 12, lines 65-67).

Claim 45: Wong et al. discloses the process further comprises permitting access to the database by a loyalty point provider. (Abstract and column 12, lines 65-67).

Claim 46: Wong et al. discloses a computer system, comprising

Art Unit: 3624

a processor having a central processing unit, an input device and memory (See figure 1);
the processor being programmed to perform the programmed steps of obtaining access to
a computer database of transactions made by a user (See figure 7);
carrying out a query of the computer database to determine purchases that qualify for
loyalty points (Column 12, lines 45-60); and
granting loyalty points based on the data stored in the computer database (Column 12,
lines 45-60).

Claim 47: Wong et al. discloses the transactions comprise credit card transactions for
a plurality of credit cards (Column 12, lines 45-67).

Claim 48: Wong et al. discloses the loyalty points are provided on the basis of
purchases of a product brand (Column 1, lines 32-35 and column 2, lines 5-10).

Claim 49: Wong et al. discloses the transactions comprise credit card
1 transactions for a plurality of credit cards; and wherein the loyalty points are provided on the
basis of purchases of a product brand.(Column 1, lines 32-43 and column 2, lines 5-10).

Claim 50: Wong et al. discloses a storage medium storing a set of computer
instructions which, when executed on a computer, carry out a process comprising
obtaining access to a computer database of transactions made by a user (Column 12,
lines 34-60);

carrying out a query of the computer database to determine purchases that qualify for loyalty points (Column 12, lines 45-60); and
granting loyalty points based on the data stored in the computer database (Column 12, lines 45-60).

Claim 51: Wong et al. discloses the transactions comprise credit card transactions for a plurality of credit cards. (Column 12, lines 45-67).

Claim 52: Wong et al. discloses the loyalty points are provided on the basis of purchases of a product brand. (Column 1, lines 32-35 and column 2, lines 5-10).

Claim 53: Wong et al. discloses the transactions comprise credit card transactions for a plurality of credit cards; and wherein the loyalty points are provided on the basis of purchases of a product brand. (Column 1, lines 32-43 and column 2, lines 5-10).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,129,274, USPN 6,119,933 and USPN 6,243,688 B1, US 6381632 B1 and US 2002/0152123 A1 are of interest.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally Shih whose telephone number is 703-305-8550. The examiner can normally be reached on Flexible Schedule.

Art Unit: 3624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7658 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

sys
December 14, 2002


HANI M. KAZIMI
PRIMARY EXAMINER